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9
10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 **-oOo-**

13 UNITED STATES OF AMERICA,
14 Plaintiff,
15 vs.
16 JIANGUO HAN, and
17 BING HAN,
18 Defendants.

19 **2:15-cr-069-JCM-NJK**
20 **MOTION TO CONTINUE**
21 **EVIDENTIARY HEARING ON**
22 **DEFENDANT'S MOTION TO**
23 **SUPPRESS**

24 The United States of America, by and through DANIEL G. BOGDEN, United States
1 Attorney, and Amber M. Craig, Assistant United States Attorney, respectfully moves this Court to
2 continue the evidentiary hearing on Defendant's Motion to Suppress, currently scheduled for
3 October 29, 2015, at 9:30 a.m., until after January 4, 2016.

4 This stipulation is entered into for the following reasons:

5 1. The Government's primary witness, Las Vegas Metropolitan Police Department
6 Detective TJ Bachman, is on Family Medical Leave until January 4, 2016.

7 2. The Defendants are out of custody.

8 3. For the reasons stated above, the ends of justice would best be served by a continuance of
9 the response deadline and detention hearing.

10 4. Additionally, denial of this request for continuance could result in a miscarriage of
11 justice.

5. The additional time requested by this motion is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Sections 3161(h)(3)(A) and (h)(7)(A), considering the factors under Title 18, United States Code, Sections 3161(h)(7)(B)(i) and (h)(7)(B)(iv).

6. This is the second request for a continuance of the evidentiary hearing filed herein.

DATED this 26th day of October, 2015.

Respectfully Submitted,

DANIEL G. BOGDEN
United States Attorney

/s/ Amber M. Craig
AMBER M. CRAIG
Assistant United States Attorney

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,

Plaintiff,

VS.

JIANGUO HAN, and
BING HAN.

Defendants.

2:15-cr-069-JCM-NJK

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

FINDINGS OF FACT

Based upon the Government's unopposed motion, and good cause appearing therefore, the Court finds that:

1. The Government's primary witness, Las Vegas Metropolitan Police Department
Lieutenant TJ Bachman, is on Family Medical Leave until January 4, 2016..
2. For the reasons stated above, the ends of justice would best be served by a continuance of
the response deadline and the detention hearing.
3. Additionally, denial of this request for continuance could result in a miscarriage of
justice.
4. The additional time requested is excludable in computing the time within which the trial
must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Sections
(e)(3)(A) and (h)(7)(A), considering the factors under Title 18, United States Code, Sections
(e)(7)(B)(i) and (h)(7)(B)(iv).

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the Defendant in a speedy trial, since the failure to grant said continuance would be likely

1 to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity
2 within which to be able to effectively and thoroughly prepare for trial, taking into account the
3 exercise of due diligence.

4 The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United
5 States Code, Sections 3161(h)(1)(A), (h)(7)(A), (h)(7)(B)(i), and (h)(7)(B)(iv).

6 **ORDER**

7 IT IS THEREFORE ORDERED that the evidentiary hearing, currently scheduled for
8 October 26, 2015, at 9:30 a.m., be vacated and continued to the 7th day of January,
9 2016, at the hour of 9:30 a.m., in Courtroom 3D.

10 DATED this 28th day of October, 2015.

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13 HONORABLE NANCY J. KOPPE
14 UNITED STATES MAGISTRATE JUDGE